THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES

VOLUME 15 — 1934 — NUMBER 44

Washington, Tuesday, March 7, 1950

TITLE 3—THE PRESIDENT

PROCLAMATION 2874

SUPPLEMENTING PROCLAMATIONS No. 2867 OF DECEMBER 22, 1949, AND No. 2764 OF JANUARY 1, 1948, RELATING TO TRADE AGREEMENTS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS, pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended by section 1 of the act of June 12, 1934, by the joint resolution approved June 7, 1943, by sections 2 and 3 of the act of July 5, 1945 (ch. 474, 48 Stat. 943, ch. 118, 57 Stat. 125, ch. 269, 59 Stat. 410 and 411), and by sections 4 and 6 of the Trade Agreements Extension Act of 1949 (Public Law 307, 81st Congress), the period for the exercise of the said authority having been extended by section 3 of the Trade Agreements Extension Act of 1949 until the expiration of three years from June 12, 1948, on October 10, 1949, I entered into a trade agreement providing for the accession to the General Agreement on Tariffs and Trade (Treaties and Other International Acts Series 1700) of the Governments of the Kingdom of Denmark, the Dominican Republic, the Republic of Finland, the Kingdom of Greece, the Republic of Haiti, the Republic of Italy, the Republic of Liberia, the Republic of Nicaragua, the Kingdom of Sweden, and the Oriental Republic of Uruguay, which trade agreement for accession consists of the Annecy Protocol of Terms of Accession to the General Agreement on Tariffs and Trade, dated October 10, 1949, including the annexes thereto (Dept. of State Pub. 3664);

2. WHEREAS by Proclamation 2867 of December 22, 1949 (14 F. R. 7723), I proclaimed such modifications of existing duties and the other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out the said trade agreement for accession on and after January 1, 1950;

3. WHEREAS, pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended by the acts specified in the first recital of this proclamation except the Trade Agreements Extension Act of 1949, the period for the exercise of the authority under the said section 350 having been extended by section 1 of the said act of July 5, 1945 (ch. 269, 59 Stat. 410), until the expiration of three years from June 12, 1945, on October 30, 1947, I entered into an exclusive trade agreement with the Government of the Republic of Cuba (Treaties and Other International Acts Series 1703), which exclusive trade agreement includes certain portions of other documents made a part thereof and provides for the customs treatment in respect of ordinary customs duties of products of the Republic of Cuba imported into the United States of America;

4. WHEREAS by Proclamation No. 2764 of January 1, 1948 (3 CFR., 1948 Supp., p. 11), I proclaimed such modifications of existing duties and other import restrictions of the United States of America in respect of products of the Republic of Cuba and such continuance of existing customs and excise treatment of products of the Republic of Cuba imported into the United States of America as were then found to be required or appropriate to carry out the said exclusive trade agreement on and after January 1, 1948, which proclamation has been supplemented by the said proclamation of December 22, 1949, and by the supplemental proclamations referred to in the fourth recital of the said proclamation of December 22, 1949;

5. WHEREAS, the trade agreement for accession specified in the first recital of this proclamation has been signed by the Government of the Kingdom of Greece under such circumstances that it will enter into force for such Government, and such Government will become a contracting party to the said general agreement, on March 9, 1950;

6. WHEREAS I determine that the application of each of the concessions provided for in Part I of Schedule XX in Annex A of the said trade agreement for accession which were withheld from application in accordance with paragraph 4 of the said trade agreement for accession by the said proclamation of December 22, 1949, as are identified in the following list is required or appropriate to carry

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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out, on and after March 9, 1950, the said trade agreement for accession:

Item (paragraph)	*Rates of duty*
10	5% ad val.
38	3¾% ad val.
53	3½¢ per lb.
328 [first]	12½% ad val.
601	20¢ per lb.
740	8¢ per lb.
742	1¢ per lb.
744	All rates
781	12½% ad val.
1519 (b)	Both rates
1545	12½% ad val.
1672	Free
1686	Free
1732	Free [identified as to olive oil only];

7. WHEREAS I determine that, in view of the determination set forth in the sixth recital of this proclamation, the deletion of Item 328 from the list set forth in the ninth recital of the said

proclamation of January 1, 1948, as amended and rectified, is required or appropriate to carry out, on and after March 9, 1950, the said exclusive trade agreement specified in the third recital of this proclamation:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended, do proclaim as follows:

PART I

To the end that the said trade agreement for accession specified in the first recital of this proclamation may be carried out, the identification of each of the concessions provided for in Part I of the said Schedule XX in Annex A which is included in the sixth recital of this proclamation shall, on and after March 9, 1950, be included in the list set forth in the ninth recital of the said proclamation of December 22, 1949.

PART II

To the end that the said exclusive trade agreement specified in the third recital of this proclamation may be carried out, the list set forth in the ninth recital of the said proclamation of January 1, 1948, as amended and rectified, shall, on and after March 9, 1950, be further amended by deleting therefrom the Item 328 referred to in the seventh recital of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of March in the year of our Lord nineteen hundred and fifty, and [SEAL] of the Independence of the United States of America the one hundred and seventy-fourth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 50-1891; Filed, Mar. 6, 1950; 11:13 a. m.]

EXECUTIVE ORDER 10114

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Terminal Railroad Association of St. Louis, a carrier, and certain of its employees represented by the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen and Enginemen, labor organizations; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a large section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Terminal Railroad Association of St. Louis or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 3, 1950.

[F. R. Doc. 50-1890; Filed, Mar. 6, 1950; 10:37 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[MQ-21-Tobacco (1950), Supp. 1]

PART 725—BURLEY AND FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS FOR 1950-51 MARKETING YEAR

The amendment herein is based on the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1311-1314, inclusive), and is made for the purpose of amending § 725.119 of the Burley and flue-cured tobacco marketing quota regulations, 1950-51 marketing year, relating to the reduction of farm acreage allotments in the case of farms involved in violation of the marketing quota regulations for prior years. Prior to the adoption of this amendment, notice containing the full text of the proposed amendment was given (14 F. R. 7708) that the Secretary of Agriculture was considering amending the regulations and that any interested person might express his views in writing with respect thereto. The views, data, and recommendations received pursuant to the notice have been duly considered.

The marketing quota regulations, Burley and flue-cured tobacco, 1950-51 marketing year, are amended by deleting § 725.119 and inserting in lieu thereof the following:

§ 725.119 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1950 shall be reduced, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due and in the event of refusal or failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) Any reduction shall be made with respect to the 1950 farm acreage allotment, provided it can be made prior to the delivery of the marketing card to the farm operator. If the reduction cannot be so made effective with respect to the 1950 crop, such reduction shall be made with respect to the farm acreage allotment next established for the farm. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

(d) The amount of reduction in the 1950 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. If the actual production of the farm acreage allotment is not known, the amount estimated by the county committee to have been produced on the acreage allotment shall be considered the farm marketing quota for this purpose. The amount of tobacco determined by the county committee to have been falsely identified or for which satisfactory

proof of disposition has not been furnished shall be considered the amount of tobacco involved in the violation.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraphs (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraphs (a) and (b) of this section.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies secs. 312, 313, 52 Stat. 46, 47, as amended; 7 U. S. C. and Sup. 1312, 1313)

Done at Washington, D. C., this 2d day of March 1950. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-1835; Filed, Mar. 6, 1950; 9:00 a. m.]

[MQ-21-Tobacco (1950), Supp. 1]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

MARKETING QUOTA REGULATIONS FOR 1950-51 MARKETING YEAR

The amendment herein is based on the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1311-1314, inclusive), and is made for the purpose of amending § 726.119 of the fire-cured and dark air-cured tobacco marketing quota regulations, 1950-51 marketing year, relating to the reduction of farm acreage allotments in the case of farms involved in violation of the marketing quota regulations for prior years. Prior to the adoption of this amendment, notice containing the full text of the proposed amendment was given (14 F. R. 7708) that the Secretary of Agriculture was considering amending the regulations and that any interested person might express his views in writing with respect thereto. The views, data, and recommendations received pursuant to the notice have been duly considered.

The marketing quota regulations, fire-cured and dark air-cured tobacco, 1950-51 marketing year, are amended by deleting § 726.119 and inserting in lieu thereof the following:

§ 726.119 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1950 shall be reduced, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due and in the event of refusal or failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) Any reduction shall be made with respect to the 1950 farm acreage allotment, provided it can be made prior to the delivery of the marketing card to the farm operator. If the reduction cannot be so made effective with respect to the 1950 crop, such reduction shall be made with respect to the farm acreage allotment next established for the farm. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

(d) The amount of reduction in the 1950 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. If the actual production of the farm acreage allotment is not known, the amount estimated by the county committee to have been produced on the acreage allotment shall be considered the farm marketing quota for this purpose. The amount of tobacco determined by the county committee to have been falsely identified or for which satisfactory proof of disposition has not been furnished shall be considered the amount of tobacco involved in the violation.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraphs (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraphs (a) and (b) of this section.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies secs. 312, 313, 52 Stat. 46, 47, as amended; 7 U. S. C. and Sup. 1312, 1313)

Done at Washington, D. C., this 2d day of March 1950. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-1847; Filed, Mar. 6, 1950; 9:00 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIFORNIA, AND THAT PART OF RIVERSIDE COUNTY, CALIFORNIA, SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

DETERMINATION RELATIVE TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1949-1950 FISCAL PERIOD

On November 17, 1949 (14 F. R. 7031), the Secretary of Agriculture fixed the rate of assessment for the 1949-50 fiscal period under Marketing Agreement No. 96 and Order No. 55 (7 CFR Part 955) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass. Such action was taken after consideration of all relevant matters presented. One of the factors considered as a basis for the approved rate of assessment was that interstate shipments of grapefruit for the 1949-50 fiscal year would, according to the estimate of the Administrative Committee (established pursuant to the amended marketing agreement and order), aggregate 2,000,000 standard boxes. It has become necessary, since that time, to revise such estimate to 700,000 standard boxes due to the heavy loss of grapefruit during the freeze in early January.

Marketing Agreement No. 96, as amended, and Order No. 55, as amended (14 F. R. 6803), provided that, at any time during or after a fiscal period, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the aforesaid committee; and such increase shall be applicable to all grapefruit handled during the fiscal period.

Pursuant to the provisions of such amended marketing agreement and order and on the basis of available information, it is hereby found that the necessary expenses to be incurred by the Administrative Committee for its maintenance and functioning during the fiscal year beginning on August 1, 1949, and ending on July 31, 1950, both dates inclusive, will amount to $14,000.

It is, therefore, ordered, That the provisions in paragraph (a) of § 955.203 *Expenses and rate of assessment for the 1949-50 fiscal period* (14 F. R. 7031) shall at the time of publication hereof in the FEDERAL REGISTER, be amended to read as follows:

§ 955.203 *Expenses and rate of assessment for the 1949-50 fiscal period.* (a) The expenses necessary to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, for the maintenance and functioning, during the fiscal period beginning August 1, 1949, will amount to $14,000; and the rate of assessment to be paid by each handler who first ships grapefruit shall be two cents ($0.02) per standard box of fruit shipped

by such handler as the first handler thereof during the said fiscal period. Such rate of assessment is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the extent of the damage to grapefruit by freezing has just been ascertained and: (a) The rate of assessment is applicable, pursuant to the amended marketing agreement and order, to all grapefruit handled during the fiscal period beginning on August 1, 1949, and ending on July 31, 1950, both dates inclusive; (b) the expenses of operating this regulatory program since August 1, 1949, have been paid, in accordance with the applicable provisions of the amended marketing agreement and order, with funds representing assessments collected on the basis of the rate of assessment fixed on November 17, 1949 (14 F. R. 7031); (c) a substantial operating deficit now exists which must be liquidated at the earliest possible date so that current operations may be carried on satisfactorily; (d) sufficient funds also must be provided, as soon as possible, to cover all current expenses and assure a reserve for contingencies; (e) inasmuch as the heaviest grapefruit shipments for the season occur in the winter and early spring months and assessments are much easier to collect at the time of shipment than at some future date, it is essential that the specification of the amended assessment rate be issued immediately, effective upon publication in the FEDERAL REGISTER, in order for the amended regulatory assessments to be collected so as to enable the Administrative Committee to perform its duties and functions under the aforesaid amended marketing agreement and order; and (f) no additional time is needed, by the persons affected hereby, to prepare for such effective date.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 2d day of March 1950.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 50-1834; Filed, Mar. 6, 1950; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS' CLAIMS

APPORTIONMENT NOT AUTHORIZED

In § 3.312 paragraph (g) is amended to read as follows:

§ 3.312 *Apportionment not authorized.* * * *

(g) In those cases where an amount in excess of that provided for total disability is payable of any amount in excess of the rate prescribed for total disability prior to the enactment of Public Law 339, 81st Congress, or of the additional amount authorized by the last paragraph of section 202 (3), or section 202 (5), World War Veterans Act, 1924, as amended, or the additional amount payable under Veterans Regulation 1 (a), Part I, paragraph II (k), or Part II, paragraph II (k) (38 U. S. C. ch. 12 note). Where pension is being paid under Public No. 323, 71st Congress (act of June 9, 1930), as amended, no amount in excess of $90 monthly will be subject to apportionment and where pension is being paid under Public No. 299, 71st Congress (act of June 2, 1930), as amended, or under Public No. 541, 75th Congress, as amended, no amount in excess of $90 monthly will be subject to apportionment.

* * * * *

(Sec. 5, 43 Stat. 608, as amended; sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interprets or applies sec. 4, 48 Stat. 9, sec. 3, 54 Stat. 1195, sec. 1, 60 Stat. 908; 38 U. S. C. 49a note; 704, 739, ch. 12 note)

This regulation effective March 7, 1950.

[SEAL] O. W. CLARK, *Deputy Administrator.*

[F. R. Doc. 50-1796; Filed, Mar. 6, 1950; 8:47 a. m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A—REGISTRATION AND RESEARCH

COURSES AVOCATIONAL OR RECREATIONAL IN CHARACTER

1. A new § 21.10 is added to read as follows:

§ 21.10 *Courses avocational or recreational in character*—(a) *Application of the provisions of the Independent Offices Appropriations Acts prohibiting expenditure of Government funds for courses avocational or recreational in character.* The purpose of the provisions contained in the Independent Offices Appropriations Acts is to prohibit the Veterans' Administration from expending any Government funds for courses under Part VIII, Veterans Regulation No. 1 (a) (38 U. S. C., ch. 12) which are determined by the Administrator to be avocational or recreational in character.

(b) *Veterans' responsibility.* The legislative history reveals that the underlying spirit and intent of the educational and training provisions of the Servicemen's Readjustment Act is to provide an opportunity to each veteran whose education or training was interrupted by reason of his entrance into the service to resume his education or training as a trainee and thereby aid him to attain knowledge or skill which presumably he could have attained but for his service in the armed forces. It is the intent of the law that the veteran have the right to elect his course of education or training at any approved educational or training institution at which he chooses to enroll which will accept or retain him as a student or trainee in any field or branch of knowledge which such institution finds him qualified to undertake or pursue. The prohibition of the appropriation acts for 1949 and 1950 is in accord with and reemphasizes the underlying spirit and intent of the educational and training provisions of the Servicemen's Readjustment Act. Therefore, veterans should not seek to pursue courses for avocational or recreational purposes but only courses which will contribute to the veteran's vocational or occupational advancement or educational objective.

(c) *Courses of education or training*—(1) *Courses of education.* A course of education elected by a veteran in an approved public or private elementary or secondary school, or an institution of higher learning, for which academic credit is awarded toward the veteran's educational objective, shall not be considered avocational or recreational in character: *Provided*, That any course listed in subparagraphs (7) and (8) of this paragraph which is provided by an approved public or private elementary or secondary school, or an institution of higher learning, shall be subject to the regulations set forth in subparagraphs (7) and (8) of this paragraph.

(2) *Courses of vocational training.* A course of vocational training elected by a veteran in an approved vocational, trade, business, or technological school shall not be considered avocational or recreational in character except those courses so determined pursuant to the provisions of subparagraphs (7) and (8) of this paragraph.

(3) *Courses of institutional-on-farm training.* A course of institutional-on-farm training which has been elected by a veteran and approved in accordance with the provisions of Public Law 377, 80th Congress, shall not be considered avocational or recreational in character.

(4) *Courses of apprenticeship training.* A course of apprenticeship training elected by a veteran in an approved training establishment shall not be considered avocational or recreational in character.

(5) *Courses of other training on-the-job.* A course of other training on-the-job elected by a veteran in a training establishment approved in accordance with the provisions of Public Law 679, 79th Congress, shall not be considered avocational or recreational in character, except those courses so determined pursuant to the provisions of subparagraphs (7) and (8) of this paragraph.

(6) *Courses of advanced flight training.* A flight instructor course, an instrument rating course, a multiengine class-rating course, or an airline transport pilot course elected by a veteran in an approved school shall not be considered avocational or recreational in character for a veteran who satisfies the regional office that he possesses a valid commercial pilot's license and the medical certificate which he is required to possess in order to obtain the license or certificate for which the course is pursued.

(7) *Elementary flight, private pilot, and commercial pilot flight courses.* Effective August 24, 1949, an elementary flight or private pilot course or a commercial pilot course elected by a veteran

in an approved school shall not be considered avocational or recreational in character if the veteran submits to the regional office a certificate showing that he is physically qualified in accordance with the standards of the Civil Aeronautics Administration to obtain the type of license which will enable him to attain his employment objective, together with (i) complete justification that such course is in connection with his present or contemplated business or occupation, or (ii) a certificate in the form of an affidavit by the veteran supported by corroborating affidavits by two competent disinterested persons that such flight training will be useful to him in connection with earning a livelihood, which affidavits, in the absence of substantial evidence to the contrary, will be accepted as constituting compliance with proviso. In all adjudications under this provision the expression "substantial evidence to the contrary" means evidence of a nature ordinarily acceptable as competent to establish facts or circumstances contrary to the matters sought to be established by the claimant and may consist of matters of record in the Veterans' Administration or otherwise properly within the knowledge of those charged with the adjudication. The expression "competent disinterested persons" means persons who are qualified by reason of their personal knowledge of facts and circumstances to testify concerning the use of flight training by the veteran in connection with his earning a livelihood, and who, except as to present or prospective employers, have no interest whatsoever, either personal or by association, in the pursuit or nonpursuit by the veteran of the desired course of flight training. For the purpose of this definition supporting affidavits by members of a veteran's family or by employees or owners of flight schools will not constitute evidence of disinterested persons. In any event corrobating affidavits must establish clearly and definitely the identity of the affiant, the character of his relationship or association with the claimant, and the basis and source of his asserted knowledge of the matters to which he testifies. Such justification and evidence must be submitted to and approved by the regional office prior to his entrance into training. No payment for subsistence allowance or tuition may be authorized for any period prior to the date of such approval. An elementary flight, private pilot, or commercial pilot course, or part thereof, which is provided by an institution of higher learning as a voluntary elective course for which academic credit is given as partial fulfillment of the institution's standard credit-hour requirement for the veteran's degree objective, shall be subject to the provisions contained in this subparagraph and as heretofore held by the Veterans' Administration shall be considered as separate courses. Flight courses which are required by the institution as a part of the institution's standard credit-hour required for the veteran's degree objective shall not be considered avocational or recreational in character when the institution certifies to the Veterans' Administration that the veteran is required to pursue such course for credit in order to complete his degree requirement.

(8) *Other courses.* (i) Other courses include:

(*a*) Dancing courses; photography courses; glider courses; bar-tending courses—courses of mixology; personality-development courses; entertainment courses; all single-subject courses which are not a part of a general education or training program leading to an educational or employment objective; and all other courses which are well-known to managers of regional offices as being frequently pursued in their areas for avocational or recreational purposes.

(*b*) Music courses—instrumental and vocal; public-speaking courses; and courses in sports and athletics such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, and bowling.

NOTE: These courses shall not be construed to refer to those applied music, physical education, or public speaking courses which have always been considered and offered by institutions of higher learning for credit as an integral part of a course leading to an educational objective.

(ii) If a veteran desires to pursue any of the courses listed in subdivision (i) (*a*) or (*b*) of this subparagraph, under the provisions of Public Law 346, 78th Congress, as amended, complete justification that such course is in connection with his present or contemplated business or occupation must be submitted to and approved by the regional office prior to entrance into training.

(d) *Application of law.* (1) This section does not affect any course which was commenced by a veteran prior to July 1, 1948.

(2) The Veterans' Administration is not authorized to expend any part of its appropriation for tuition, fees or other charges, or for subsistence allowance for any such course commenced or recommenced by a veteran on or subsequent to July 1, 1948, unless the veteran shows to the satisfaction of the Veterans' Administratoin that such a course is in connection with his present or contemplated business or occupation and prior to entrance into training the veteran and the school or training establishment are notified by the Veterans' Administration that it has been so determined. No payments for subsistence allowance or tuition may be authorized for any period prior to the date of such approval.

(3) Determination as to whether the justification is adequate will be made by the chief, registration and research section, or his designate: *Provided,* That before final determination is made in any doubtful case or the course is finally disapproved, the veteran will be informed by the registration and research section that his justification does not appear adequate and that he may request advisement and guidance before final determination is made. In any case where advisement and guidance is provided, the advisement and guidance procedures relating to Part VIII will be applied and the opinion of the vocational adviser as to whether the course is in connection with the present or contemplated business or occupation of the veteran will be acceptable evidence for the resolution of the question.

2. Section 21.185 of the Provisional Regulations is hereby canceled.

§ 21.185 *Application of the provisions of the Independent Offices Appropriations Acts prohibiting expenditure of Government funds for courses avocational or recreational in character.* [Canceled.]

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 11a, 694, 707. Interprets or applies 57 Stat. 43, secs. 300, 400, 500, 1500–1504, 58 Stat. 286, 287, 291, 300, 301, secs. 5, 6, 7, 10, 11, 59 Stat. 624, 626, 631, 542, 60 Stat. 124, 934, 61 Stat. 180, 449, 739, 791, Pub. Law 862, 80th Cong., Pub. Law 266, 81st Cong.; 38 U. S. C. and Sup., 693g, 697–697d, 697f, 697g, ch. 12 note)

This regulation effective March 7, 1950.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 50–1797; Filed, Mar. 6, 1950; 8:58 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation, Department of the Interior

PART 401—APPLICATIONS FOR ENTRY ON LANDS IN FEDERAL RECLAMATION PROJECTS

DEFINITION OF HONORABLE DISCHARGE

Section 401.5 is amended to read as follows:

§ 401.5 *Definition of honorable discharge.* An honorable discharge means:

(a) Separation from the service by means of an honorable discharge, or by the acceptance of resignation or a discharge under honorable conditions; or

(b) Release from active duty under honorable conditions to an inactive status whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans' preference even though such person thereafter resumes active military duty.

(Sec. 1, 58 Stat. 747, as amended; 43 U. S. C. 279)

[SEAL] OSCAR L. CHAPMAN,
Secretary of the Interior.

FEBRUARY 28, 1950.

[F. R. Doc. 50–1783; Filed, Mar. 6, 1950; 9:01 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 848]

PART 95—CAR SERVICE

REFRIGERATOR CARS FOR TRANSPORTING COTTON

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of March A. D. 1950.

It appearing, that the number of freight cars available for the movement of box car freight in the State of California and other western territory has seriously decreased recently; that at present the supply is insufficient to move such freight traffic of carriers serving that state and territory; that there are certain SFRD and PFE refrigerator cars in California and other western territory not suitable for transporting commodities requiring protective service and that such cars are suitable for transporting other freight; in the opinion of the Commission an emergency exists requiring immediate action in California and other western territory: It is ordered, that:

§ 95.840 *SFRD-PFE refrigerator cars for loading cotton.* (a) Any common carrier by railroad subject to the Interstate Commerce Act, serving points in California and other western territory, may at its option furnish and transport for each box car ordered:

Uncompressed cotton. Not more than four (4) refrigerator cars, of SFRD or PFE ownership, not suitable for transporting commodities requiring protective service, for loading and transporting carload shipments of uncompressed cotton at origins in California and other western territory, when such cotton is consigned or reconsigned to points for compression;

Compressed cotton. Not more than two (2) refrigerator cars of SFRD or PFE ownership, not suitable for transporting commodities requiring protective service, for loading and transporting carload shipments of compressed cotton originating at points of compression in California and other western territory and consigned or reconsigned to points on the Southern Pacific Company, the Texas and New Orleans Railroad Company, Union Pacific Railroad Company and the Atchison, Topeka and Santa Fe Railway Company,

subject to the carload minimum weight which would have applied if the shipment had been loaded in the box car ordered.

(b) *Application.* The provisions of this section shall apply to shipments moving in intrastate commerce as well as to those moving in interstate commerce.

(c) *Effective date.* This section shall become effective at 12:01 a. m., March 3, 1950.

(d) *Expiration date.* This section shall expire at 11:59 p. m., May 31, 1950, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

(e) *Rules and regulations suspended.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

It is further ordered, that this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1822; Filed, Mar. 6, 1950; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52422]

CHESAPEAKE AND OHIO RAILWAY CO.

REGISTRATION OF FUNNEL MARKS

MARCH 1, 1950.

The Commissioner of Customs, by virtue of the authority vested in him by section 7 of the act of May 28, 1908 (46 U. S. C. sec. 49), as modified by section 102, Reorganization Plan 3 of 1946 (11 F. R. 7875, 3 CFR, 1946 Supp., 60 Stat. 1097), and in accordance with § 3.81 (a), Customs Regulations of 1943 (19 CFR 3.81 (a)), has registered two funnel marks for the Chesapeake and Ohio Railway Company described below:

(a) The first funnel mark is to appear on vessels having two stacks of dark blue in tandem, each being 7 feet in diameter and 21 feet in over-all height. Centered on either side of each stack in a fore-and-aft direction 6 feet 4 inches below the top of the funnel is a Federal yellow disk, 5 feet in diameter. Superimposed on the disk in dark blue are the letters "C" and "O", 2 feet 6 inches in height. The letter "C" is placed in the upper left portion of the circle, connecting with and overlapping in part the letter "O," which is placed in the lower right portion of the circle. Centered vertically on the letter "C" and to the right of it, also in dark blue, is the word "and" in letters 4 inches in height.

(b) The second funnel mark is similar to the first except for size and for the fact that it will be used only on vessels having one stack. The funnel on which this mark will be used is 28 feet in diameter and 25 feet 6 inches in height over all. The disk is located 4 feet below the top of the funnel and is 12 feet in diameter. The letters "C" and "O" are 5 feet in height and the letters in the word "and" are 8 inches in height.

Colored scale replica drawings of the funnel marks described above are on file with the Division of the Federal Register.

[SEAL] FRANK DOW, *Commissioner of Customs.*

[F. R. Doc. 50-1821; Filed, Mar. 6, 1950; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORE SPACE RESTORATION NO. 437

FEBRUARY 24, 1950.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, § 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

T. 13 N., R. 4 W., Seward Meridian
Sec. 3: Lot 2 and SE¼NW¼.
T. 31 S., R. 59 E., Copper River Meridian
Sec. 24: Lots 2, 4, 5 and NE¼SE¼.
T. 4 S., R. 15 W., Seward Meridian
Sec. 11: Lot 4.
Sec. 14: Lot 1.
T. 5 N., R. 8 W., Seward Meridian
Sec. 6: Lots 6, 9, 12, SE¼SW¼ and SW¼NE¼.
T. 32 S., R. 59 E., Copper River Meridian
Sec. 25: Lot 7.

A tract of land situated at Port Wakefield on the northeast coast of Raspberry Island, and identified as U. S. Survey No. 2972, containing approximately 30 acres (S. A. H. Application Anchorage 012887, Wakefield Fisheries).

A tract of land situated on the north shore of Lazy Bay, and identified as U. S. Survey No. 2536, containing 18.5 acres (S. A. H. Application Anchorage 09751, Pacific-American Fisheries).

A tract of land situated on Nushagak Bay, and identified as U. S. Survey No. 2874, containing approximately 16 acres (S. A. H. Application Anchorage 011850, Pacific American Fisheries).

A tract of land situated on Dry Spruce Bay, and identified as U. S. Survey No. 2424, containing approximately 10 acres (S. A. H. Application Anchorage 08990, Kodiak Fisheries, Company).

A tract of land situated on Dry Spruce Bay, and identified as U. S. Survey No. 2423, containing approximately 5 acres (S. A. H. Application Anchorage 08989, Bertram Boog).

A tract of land located on the Naknek River, and identified as U. S. Survey No. 2425, containing approximately 20 acres (S. A. H. Application Anchorage 09009, Walter R. Wassenkari).

The lands above described aggregate approximately 495 acres.

No application for these lands may be allowed under the Small Tract Act of

June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At 10:00 a. m. on March 17, 1950, the lands shall, subject to valid existing rights and the provisions of existing withdrawals become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from March 17, 1950, to May 15, 1950, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or homesite laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from February 24, 1950, to March 16, 1950, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on March 17, 1950, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on May 16, 1950, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from April 25, 1950, to May 15, 1950, inclusive, and all such applications, together with those presented at 10:00 a. m. on May 16, 1950, shall be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 66, of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Land Office at Anchorage, Alaska.

VIRGIL T. HEATH,
Acting Regional Administrator.

[F. R. Doc. 50-1787; Filed, Mar. 6, 1950; 8:45 a. m.]

ALASKA

SHORE SPACE RESTORATION NO. 438

FEBRUARY 24, 1950.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, § 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands;

A tract of land located on the shore of Auke Bay, identified as Lot 2 of Group 2 of Homesites, containing 0.72 acre (Trade and Manufacturing Site Anchorage 012671 of James P. DeHart).

A tract of land located on Ward Cove on arm of Tongass Narrows, identified as U. S. Survey No. 2923, containing approximately 31.76 acres (Homestead, Free Survey application, Anchorage 011210, of Ivan L. Crawford).

A tract of land located on Naknek River, identified as U. S. Survey No. 2870, containing approximately 3 acres (Trade and Manufacturing Site Application Anchorage 012136, of Herman Sandvik).

A tract of land located on the Naknek River, containing approximately 5 acres, more particularly described as follows: Commencing at a point 535 feet in a northeasterly direction from W. C. M. C. No. 1 of U. S. Survey No. 2330. This point is located on the left limit of Naknek River and is to be known as corner No. 1. Thence up-river in an easterly direction for a distance of 660 feet to corner No 2. Thence turning 90° in a southerly direction for a distance of 330 feet to corner No. 3. Thence in a westerly direction and parallelling the Naknek River for a distance of 660 feet to corner No. 4. Thence turning a 90° angle in a northerly direction for a distance of 330 feet to corner No. 1 and point of beginning (Headquarters site application, Anchorage 011865, of A. C. Wamser).

A tract of land located on Kvichak Bay, containing approximately 5 acres, more particularly described as follows: Commencing at a point located at mean high tide on the east shore of Kvichak Bay, 340 feet south of Corner No. 2 of U. S. Survey No. 1582, this to be known as corner No. 1; thence due east 330 feet to corner No. 2; thence due south 660 feet to corner No. 3; thence due west to mean high tide on the east shore of Kvichak Bay, a distance of approximately 330 feet to corner No. 4; thence in a northerly direction following the mean high tide line of Kvichak Bay for an approximate distance of 660 feet to corner No. 1, and the point of beginning (Headquarters site application, Anchorage 012971, of Wilfred S. Wood).

A tract of land located on Nushagak Bay, containing approximately 5 acres, more particularly described as follows: Beginning at Meander Corner No. 1, at line of mean high tide on Ekuk Spit, on Nushagak Bay, identical with Corner No. 2, of U. S. Survey No. 2713; thence S. 59° 30' E., 520 feet to corner No. 2; thence S. 7° W. 440 feet to corner No. 3; thence N. 59° 30' W. 430 feet to Meander Corner No. 4 on beach at line of mean high tide of Nushagak Bay; thence by meander N. 1° W. 485 feet more or less to corner No. 1, the place of beginning (Homesite application, Anchorage 011814, of Peter Heyano).

A tract of land located on Nushagak Bay, containing approximately 5 acres, more particularly described as follows: Beginning at Meander Corner No. 1, at line of mean high tide on Ekuk Spit, Nushagak Bay, identical to Corner No. 4 of Heyano Homesite, and from which Meander Corner No. 2 of U. S. Survey No. 2713, bears N. 1° W., 485 feet, thence S. 59° 30' E., 630 feet to corner No. 2; thence S. 7° W. 330 feet to corner No. 3; thence N. 59° 30' W. 600 feet to Meander Corner No. 4 at mean high tide of Nushagak Bay; thence by meanders N. 1° E. 340 feet more or less to corner No. 1, the place of beginning (Homesite application, Anchorage 012340, Charlotte Killian).

The lands above described aggregate approximately 56 acres.

VIRGIL T. HEATH,
Acting Regional Administrator.

[F. R. Doc. 50-1788; Filed, Mar. 6, 1950; 8:46 a. m.]

ALASKA

SHORE SPACE RESTORATION NO. 439

FEBRUARY 24, 1950.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, § 4.279 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

T. 1 S., R. 2 W., Fairbanks Meridian
Sec. 12: Lots 3, 4 and S½SW¼.
Sec. 32: Lots 1, 2, 3, NW¼NE¼ and SW¼NW¼.
T. 2 S., R. 2 E., Fairbanks Meridian
Sec. 10: Lot 11.
Sec. 15: Lot 2 and NW¼NE¼.
T. 4 S., R. 4 E., Fairbanks Meridian
Sec. 30: Lots 4 and 5.
T. 7 S., R. 5 E., Fairbanks Meridian

Sec. 14: Lot 1, SE¼NW¼ and SW¼NE¼.

A tract of land located on Goodnews Bay, and identified as U. S. Survey No. 2484, containing 5 acres (S. A. H. application Fairbanks 04041, of Peter Wold, et al., operating as the "Alaska Traders").

A tract of land located on Goodnews Bay, identified as U. S. Survey No. 2493, containing 7.33 acres (S. A. H. application Fairbanks 04113 of Edmund C. Anderson).

A tract of land located on Goodnews Bay, identified as U. S. Survey No. 2494, containing approximately 10 acres (S. A. H. application Fairbanks 04115 of Charles J. Johnston).

The lands above described aggregate approximately 442 acres.

No application for these lands may be allowed under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At 10:00 a. m. on March 17, 1950, the lands shall, subject to valid existing rights and the provisions of existing withdrawals become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from March 17, 1950, to May 15, 1950, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or homesite laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from February 24, 1950, to March 16, 1950, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on March 17, 1950, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public land laws.* Commencing at 10:00 a. m. on May 16, 1950, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from April 25, 1950, to May 15, 1950, inclusive, and all such applications, together with those presented at 10:00 a. m. on May 16, 1950, shall be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 66, of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Land Office at Fairbanks, Alaska.

VIRGIL T. HEATH,
Acting Regional Administrator.

[F. R. Doc. 50–1789; Filed, Mar. 6, 1950; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 8044]

JOHN J. DEMPSEY

ORDER CONTINUING HEARING

The Commission having under consideration the motion of its General Counsel for a 60-day continuance of the hearing in the above-entitled matter which is presently scheduled for February 28, 1950, and for a waiver of § 1.745 of the Commission's rules and regulations to permit early consideration of the motion;

It appearing, that the Commission, under date of December 8, 1949, apprised the respondent herein of the charges involved in the proceeding and respondent has been given the opportunity to make a statement with respect to them; and

It appearing further, that the Commission has not as yet received a reply from respondent, and that it is appropriate to await the receipt of same before a hearing in this matter is conducted; and

It appearing further, that all the parties to the proceeding have consented to the continuance herein requested and to a waiver of § 1.745 of the rules;

It is ordered, This 27th day of February 1950 that the provisions of § 1.745 of the Commission's rules and regulations, be, and they are hereby, waived; that the motion under consideration, be, and it is hereby, granted; and that the hearing in the above-entitled matter, be, and it is hereby, continued to May 1, 1950, in Albuquerque, New Mexico.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50–1811; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket No. 8246]

YORK BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of York Broadcasting Company, York, Pennsylvania, Docket No. 8246; for construction permit.

The Commission having under consideration a petition filed by applicant February 17, 1950, requesting an indefinite continuance of the hearing in the above case, presently scheduled to commence February 28, 1950; and

It appearing, that the purpose of the request is to allow sufficient time for the Commission to dispose of a petition for reconsideration and grant without hearing, filed February 8, 1950;

It appearing further, that no opposition to the petition has been filed with the Commission and that no one will be adversely affected by a grant of the petition;

It is ordered, This 27th day of February 1950, that the petition be, and it is hereby granted, and the hearing presently scheduled to commence February 28, 1950, is continued until further order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50–1809; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket Nos. 9341, 9531, 9532]

TAMPA BROADCASTING CO. (WALT) ET AL.

ORDER CONTINUING HEARING

In re applications of W. Walter Tison, tr/as Tampa Broadcasting Company (WALT), Tampa, Florida, Docket No. 9341, File No. BP–6537; Georgia-Carolina Broadcasting Company (WJBF), Augusta, Georgia, Docket No. 9531, File No. BP–7063; Board of Regents, University System of Georgia, on behalf of Georgia Institute of Technology (WGST), Atlanta, Georgia, Docket No. 9532, File No. BP–7294; for construction permits.

The Commission having under consideration a petition, filed February 9, 1950, by Georgia-Carolina Broadcasting Company requesting a continuance for a period of 60 days of the hearing in the above-entitled proceeding which is now scheduled to begin March 6, 1950; and

It appearing that the continuance is requested to permit petitioner to make a more thorough and comprehensive study of the interference which might result at night to Station WJBF operating as proposed on 920 kc and that such further

study is necessary to enable petitioner to make an intelligent presentation of its application at the hearing; and

Said petition having been on file with the Commission for more than 5 days and no opposition having been filed to the granting thereof by any party to the proceeding, and good cause having been shown that it is in the public interest to grant said petition;

It is ordered, This the 27th day of February 1950 that the petition for continuance filed February 9, 1950, by Georgia-Carolina Broadcasting Company, be and it is hereby granted, and the hearing in the above-entitled consolidated proceeding now scheduled to begin on March 6, 1950, is continued to May 15, 1950, at 10:00 a. m., in the offices of the Commission at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1813; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket No. 9391]

PASS BROADCASTING CO. (KPAS)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of William T. Smith, tr/as Pass Broadcasting Company (KPAS), Banning, California, Docket No. 9391, File No. BP-7143; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 23d day of February 1950;

The Commission having under consideration the above-entitled application for a construction permit to change the facilities of Station KPAS at Banning, California from 1490 kc., 250 watt power, unlimited time to 1320 kc., 1 kw. power, daytime only;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KPAS as proposed, but that in view of the loss of local nighttime service to the city of Banning, California a grant of the application may not be in the public interest, convenience and necessity;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing in Washington, D. C. on the 17th day of May 1950 upon the following issues:

1. To determine whether, in view of the loss to the city of Banning, California of its only local nighttime radio service, the operation of Station KPAS, as proposed, would serve the public interest, convenience and necessity.

2. To determine whether the operation of Station KPAS, as proposed, rather than as at present, would provide a fair, efficient, and equitable distribution of radio service to Banning, California, within the meaning of section 307 (b) of the Communications Act of 1934, as amended.

3. To determine whether the installation and operation of Station KPAS as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to the population residing within the 250 mv/m blanket contour.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1817; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket Nos. 9527, 9528]

AIR WAVES, INC. (WLCS) AND KJAN BROADCASTING CO.

ORDER CONTINUING HEARING

In the matter of Air Waves, Inc. (WLCS) Baton Rouge, Louisiana, Docket No. 9527, File No. BP-7013, for CP to change freq., incr. power, install new trans.; KJAN Broadcasting Company, Baton Rouge, Louisiana, Docket No. 9528, File No. BP-7382, for construction permit.

The Commission having under consideration the matter of continuance of the hearing now scheduled for March 1, 1950, in the above entitled proceeding; and

It appearing, that on February 24, 1950, at the conclusion of the oral argument and the ruling of the Examiner on the petition of KJAN Broadcasting Company to amend its application, counsel for Air Waves, Inc., announced intention to appeal such ruling to the Commission and made an oral motion requesting continuance of the March 1st hearing, in order to permit such appeal prior to the hearing, and it was thereupon agreed by counsel for both parties and counsel for the Commission, that such hearing might be continued to April 10, 1950; and

It further appearing, that on February 27, 1950, Air Waves, Inc., in conformity with its oral motion aforesaid, filed a written petition requesting continuance of such hearing to April 10, 1950, and counsel for KJAN Broadcasting Company and counsel for the Commission having consented to an immediate consideration and grant of the petition;

It is ordered, This 27th day of February 1950 that the hearing in the above entitled proceeding, now scheduled for March 1, 1950, be, and it is hereby, continued to April 10, 1950, at 10 o'clock a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1812; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket Nos. 9533, 9534]

HOUSTON BROADCASTERS AND GREENVILLE NEWS-PIEDMONT CO. (WFBC)

ORDER CONTINUING HEARING

In re applications of Jess M. Swicegood and Lola C. Robinson d/b as Houston Broadcasters, Albany, Georgia, Docket No. 9533, File No. BP-6951; Greenville News-Piedmont Company (WFBC), Greenville, South Carolina, Docket No. 9534, File No. BP-7062; for construction permits.

The Commission having under consideration a petition filed February 17, 1950, by the Greenville News-Piedmont Company, Greenville, South Carolina, requesting that the hearing herein, scheduled for March 6, 1950, in Washington, D. C., be continued to April 10, 1950, to provide time for the completion of an engineering report relating to a new tentative site; and

It appearing that no opposition has been filed to this petition; and

It appearing that the Hearing Examiner has other hearings scheduled which would prevent his conduct of this hearing on the 10th of April 1950, the date requested;

It is hereby ordered, This 27th day of February 1950, that the petition is granted in part insofar as the request for a continuance is concerned, and the hearing is hereby continued to May 1, 1950, at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1810; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket No. 9577]

A. D. RING & CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of application of A. D. Ring, d/b as A. D. Ring & Co., Washington, D. C., for authorization in the special industrial radio service, File No. 4676-2-D4-L-E, Docket No. 9577.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of February, 1950;

The Commission having under consideration the application of A. D. Ring, d/b as A. D. Ring & Co., Washington, D. C., for an authorization in the Special Industrial Radio Service;

It appearing, that the above-mentioned application raises a question as to applicant's eligibility to operate a station under the provisions of § 11.501 of the rules governing the industrial radio services; and

It further appearing, that the applicant has requested a hearing in the matter of this application for the purpose of resolving the question of eligibility under the aforementioned § 11.501;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the application of A. D. Ring, d/b as A. D. Ring & Co. for an authorization in the Special Industrial Radio Service be designated for hearing before a Commission Examiner at 10:00 a. m. on the 13th of April 1950, at the Commission's offices in Washington, D. C., upon the following issues:

(1) To determine whether the applicant is engaged in an industrial activity the primary function of which is devoted to the production of directional antennas.

(2) To determine whether the applicant is engaged in an industrial activity the primary function of which is devoted to the construction of directional antennas.

(3) To determine whether the applicant is engaged in an industrial activity the primary function of which is devoted to the production of radio broadcast stations.

(4) To determine whether the applicant is engaged in an industrial activity the primary function of which is devoted to the construction of radio broadcast stations.

(5) If the applicant is found to be engaged in any or all of the above-mentioned activities, are such activities being carried on in a remote or sparsely settled area?

(6) To determine whether the activities of the applicant are such that they meet the basic eligibility provisions of § 11.501 (a) of the Commission's rules governing the industrial radio services.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1814; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket No. 9588]

ILLINOIS BAPTIST STATE ASSN.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Illinois Baptist State Association, Murphysboro, Illinois, Docket No. 9588, File No. BP-7211; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of February 1950;

The Commission having under consideration (1) the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1230 kc. with a power of 250 w., unlimited time, at Murphysboro, Illinois; and (2) a petition filed December 30, 1949, by the Harrisburg Broadcasting Company, licensee of Radio Station WEBQ, Harrisburg, Illinois, alleging interference within its normally protected contour and requesting that the subject application be designated for hearing;

It appearing, that, except as specified in Issue No. 1, the applicant is technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That the petition of Harrisburg Broadcasting Company is granted; and, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at Washington, D. C., on the 12th day of May 1950, upon the following issues:

1. To determine the legal qualifications of the applicant corporation, its officers, directors, stockholders or other members, to construct and operate the proposed station with particular reference to whether under the corporate charter the corporation is authorized to engage in the business of radio broadcasting.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WEBQ, Harrisburg, Illinois, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That the Harrisburg Broadcasting Company, licensee of Station WEBQ, Harrisburg, Illinois, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1815; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket No. 9589]

HOWARD R. WARD

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Howard R. Ward, Bowling Green, Ohio, Docket No. 9589, File No. BP-7409, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of February 1950;

The Commission having under consideration the above entitled application for a construction permit for a new standard broadcast station to operate on 730 kilocycles, 250 watts power, daytime only at Bowling Green, Ohio;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to construct and operate the proposed station, but that the application would involve interference with one or more existing broadcast stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at Washington, D. C., on May 15, 1950, commencing at 10:00 a. m., upon the following issues:

1. To determine whether the operation of the proposed station would involve objectionable interference with station WPIT, Pittsburgh, Pennsylvania, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That WPIT, Inc., licensee of station WPIT, Pittsburgh, Pennsylvania, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1816; Filed, Mar. 6, 1950; 8:48 a. m.]

[Docket No. 9590]

SOUTH CENTRAL BROADCASTING CORP. (WIKY)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of South Central Broadcasting Corporation (WIKY), Evansville, Indiana, Docket No. 9590, File No. BP-7367; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of February 1950;

The Commission having under consideration the above-entitled application requesting a construction permit to change facilities of station WIKY, Evansville, Indiana, from 820 kilocycles, 250 watts power, daytime only, to 680 kilocycles, 250 watts power, unlimited time, and install a directional antenna for day and night use;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to construct and operate station WIKY as proposed but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at Washington, D. C., on the 19th day of May 1950, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of WIKY as proposed and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of station WIKY as proposed, would involve objectionable interference with stations WMPS, Memphis, Tennessee, and WMAQ, Chicago, Illinois, or with any other existing broadcast stations and, if

so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of station WIKY, as proposed, would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That, WMPS, Inc., licensee of station WMPS, Memphis, Tennessee, and National Broadcasting Company, Inc., licensee of station WMAQ, Chicago, Illinois, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1818; Filed, Mar. 6, 1950; 8:49 a. m.]

[Docket No. 9591]

ATLANTA JOURNAL CO. (WSB)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re petition of The Atlanta Journal Company (WSB), Atlanta, Georgia, Docket No. 9591; for reconsideration of a grant to Aiken-Augusta Broadcasting Company, Aiken, South Carolina (WNCA; File No. BMP-4558) and designation of such application for hearing.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of February 1950;

The Commission having under consideration the above-entitled petition filed by The Atlanta Journal Company, licensee of WSB, Atlanta, Georgia, requesting reconsideration of an action wherein the Commission granted an application of Aiken-Augusta Broadcasting Company (BMP-4558) for change of facilities at station WMCA, Aiken, South Carolina, and further requesting that said application be designated for hearing with the petitioner made a party thereto, and also having a reply thereto filed by Aiken-Augusta Broadcasting Company;

It appearing, that said petition claims protection for service of station WSB between its normally protected and interference free contours from alleged interference expected to be caused by the proposed operation of station WNCA under its grant (File No. BMP-4558) but that the Commission is not fully advised as to the facts necessary for it to take action in the premises;

It is ordered, That said petition of The Atlanta Journal Company is hereby designated for hearing at Washington, D. C., on the 22d day of May 1950, upon the following issues:

1. To determine whether station WSB now delivers a primary signal to any area or areas in which interference may be expected from the proposed operation of station WNCA, Aiken, South Carolina, and to determine the populations residing in such areas and receiving such signal.

2. To determine whether other services are available to any area or areas which may lose the primary service of station WSB as a result of the proposed operation of station WNCA, the nature and extent of such other services, and, further, to determine whether such other services furnish programs of the same general character as the programs of station WSB.

It is further ordered, That Aiken-Augusta Broadcasting Company, licensee of station WNCA, Aiken, South Carolina, is hereby made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1819; Filed, Mar. 6, 1950; 8:49 a. m.]

[Designation Order 43]

DESIGNATION OF MOTIONS COMMISSIONER FOR MARCH 1950

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of February 1950;

It is ordered, Pursuant to section 0.111 of the statement of delegations of authority, that George E. Sterling, Commissioner, is hereby designated as Motions Commissioner for the month of March 1950.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a substitute Motions Commissioner.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1820; Filed, Mar. 6, 1950; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6152]

FLORIDA POWER CORP. AND GEORGIA POWER AND LIGHT CO.

NOTICE OF ORDER ALLOWING RATE SCHEDULES REDUCING RATES TO TAKE EFFECT AND TERMINATING PROCEEDING

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its order entered February 24, 1950, allowing rate schedules reducing rates to take effect as of January 1, 1950; and terminating investigation proceedings in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1785; Filed, Mar. 6, 1950; 8:45 a. m.]

[Docket No. E-6272]

OHIO EDISON CO.

ORDER SUSPENDING RATE SCHEDULE AND FIXING DATE OF HEARING

FEBRUARY 28, 1950.

Ohio Edison Company ("Ohio Edison") on January 3, 1950, submitted for filing a proposed supplemental rate schedule, tentatively designated as Supplement No. 1 to its Rate Schedule FPC No. 6, increasing the rates or charges to its wholly owned subsidiary, Pennsylvania Power Company, by an amount of $226,613 or 26.6%, based on energy transactions for the year ending November 30, 1949.

The proposed supplement, which would by its own terms become effective March 1, 1950, relates to transactions between Ohio Edison and Pennsylvania Power Company over their several points of interconnection at the Ohio-Pennsylvania State boundary.

The proposed supplement, among other things, would increase the rate or charge per kw-month of demand from $1.00 to $1.40 and the combined charge for standby and transmission services from $348,000 to $463,200 per annum.

The cost data submitted by Ohio Edison in support of the proposed increased rates or charges are incomplete and do not appear to support them.

Unless suspended by order of the Commission, the proposed supplemental rate schedule will become effective as of March 1, 1950, pursuant to the Federal Power Act and the general rules and regulations promulgated thereunder.

The change in rates or charges proposed by the supplemental rate schedule referred to above, may result in excessive rates or charges; may place an undue burden upon ultimate consumers of such electric energy; may be unduly discriminatory or preferential; and may result in increased rates or charges which have not been shown to be justified.

The Commission finds: It is necessary, desirable and in the public interest, for the reasons set forth below, that the Commission enter upon a hearing concerning the lawfulness of the proposed rates or charges and that said proposed rates or charges be suspended pending such hearing and decision thereon:

(1) Cost data submitted by Ohio Edison do not appear to support the proposed increased rates or charges.

(2) The proposed increased rates or charges may be unjust, unreasonable, unduly discriminatory or preferential.

The Commission orders:

(A) A public hearing be held commencing May 15, 1950, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the rates or charges provided for in Ohio Edison's proposed supplemental rate schedule referred to above.

(B) Pending such hearing and decision thereon, the proposed supplemental rate schedule referred to in paragraph (A) above, be and the same hereby is suspended and the use of such rates or charges provided therein deferred until August 1, 1950, and thereafter such proposed supplemental rate

schedule shall go into effect in the matter prescribed by the Commission in accordance with the Federal Power Act.

(C) During the period of suspension the rates and charges heretofore in effect under Ohio Edison's Rate Schedule FPC No. 6 on file with the Commission shall remain and continue in effect.

(D) At the hearing herein ordered to be held, the burden of proof to show that the proposed rates or charges are just and reasonable and not unduly discriminatory or preferential shall be upon Ohio Edison.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's general rules and regulations, including rules of practice and procedure, dated January 1, 1948.

Date of issuance: March 1, 1950.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 50-1784; Filed, Mar. 6, 1950; 8:45 a. m.]

[Docket No. E-6273]

COMMUNITY PUBLIC SERVICE CO.

NOTICE OF APPLICATION

MARCH 1, 1950.

Notice is hereby given that on February 28, 1950, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Community Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Kentucky, New Mexico and Texas, with its principal business office at Fort Worth, Texas, seeking an order authorizing applicant to issue 685,908 shares of capital stock of $10 par value as a reclassification and split-up of its existing capital stock of $25 par value by having three shares of the proposed capital stock for each one share of the existing capital stock. The company proposes to reclassify its authorized capital stock by changing the number of shares and par value from 500,000 shares of $25 par value to 1,250,000 shares of $10 par value and issuing to the stockholders certificates for 457,272 shares of capital stock of $10 par value in addition to the 228,636 shares of capital stock of $25 par value outstanding, which will become $10 par value when the amendment to applicant's certificate of incorporation becomes effective. In order to increase the amount in capital stock account to $6,859,080, the company proposes to transfer to its capital stock account $954,001.41 from its capital surplus account and $189,178.59 from its earned surplus account; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 17th day of March 1950, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 50-1800; Filed, Mar. 6, 1950; 8:47 a. m.]

[Docket No. G-1316]

TEXAS EASTERN TRANSMISSION CORP. AND TEXAS GAS TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

FEBRUARY 28, 1950.

On January 16, 1950, Texas Eastern Transmission Corporation (Texas Eastern), a Delaware corporation with address at Shreveport, Louisiana, and Texas Gas Transmission Corporation (Texas, Gas), a Delaware corporation with address at Owensboro, Kentucky (joint applicants) filed an application which was amended on February 16, 1950, by incorporating the formal agreement specified in the original application, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing an interchange of natural gas between the joint applicants of an amount up to 10,000 Mcf per day through facilities previously authorized to be constructed, all as fully described in the original and amended applications on file with the Commission and available to public inspection.

Applicant has requested that this application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure; no request to be heard or protest has been filed subsequent to giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on February 2, 1950 (15 F. R. 591).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on March 10, 1950, at 9:30 o'clock a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: March 1, 1950.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 50-1786; Filed, Mar. 6, 1950; 8:45 a. m.]

[Project Nos. 77 (Potter Valley), 137 (Mokelumne), 175 (Balch)]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDERS ABROGATING ORDERS APPROVING AND DIRECTING RECLASSIFICATION OF AMOUNTS TERMINATING PROCEEDINGS ON REHEARING

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its orders entered February 21, 1950, abrogating previous orders, relative to cost of the projects, approving and directing reclassification of amounts, and terminating proceedings on rehearing in the above-designated matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 50-1802; Filed, Mar. 6, 1950; 8:47 a. m.]

[Project No. 184 (El Dorado)]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER ABROGATING ORDER, IN PART, AND TERMINATING PROCEEDINGS ON REHEARING

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its order entered February 21, 1950, abrogating order in part, relative to claimed cost, and terminating proceedings on rehearing in the above-designated matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 50-1804; Filed, Mar. 6, 1950; 8:47 a. m.]

[Project No. 233 (Pit Nos. 3 and 4)]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER ABROGATING ORDER APPROVING AND DIRECTING RECLASSIFICATION OF AMOUNTS TERMINATING PROCEEDINGS ON REHEARING

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its order entered February 21, 1950, abrogating order of December 7, 1948, published in the FEDERAL REGISTER on December 16, 1948 (13 F. R. 7790), in part, approving and directing reclassification of amounts, and terminating rehearing proceedings in the above-designated matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 50-1803; Filed, Mar. 6, 1950; 8:47 a. m.]

[Project No. 619 (Bucks Creek)]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER DETERMINING ACTUAL LEGITIMATE ORIGINAL COST AND PRESCRIBING ACCOUNTING THEREFOR

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commis-

sion issued its order entered February 21, 1950, determining actual legitimate original cost and prescribing accounting therefor in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1805; Filed, Mar. 6, 1950; 8:47 a. m.]

[Projects Nos. 1318 (Stanislaus-Spring Gap), 1352 (Caribou)]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER DETERMINING COST COMPONENT OF FAIR VALUE AND PRESCRIBING ACCOUNTING

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its orders entered February 21, 1950, determining cost component of fair value and prescribing accounting therefor in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1806; Filed, Mar. 6, 1950; 8:47 a. m.]

[Project Nos. 1338 (Upper Tule), 1354 (Crane Valley)]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDERS DETERMINING FAIR VALUE AND PRESCRIBING ACCOUNTING

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its orders entered February 21, 1950, determining fair value and prescribing accounting therefor in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1801; Filed, Mar. 6, 1950; 8:47 a. m.]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED AS UTILITY PLANT ACQUISITION ADJUSTMENTS AND UTILITY PLANT ADJUSTMENTS

MARCH 1, 1950.

Notice is hereby given that, on February 27, 1950, the Federal Power Commission issued its order entered February 21, 1950, approving and directing disposition of amounts classified as Utility Plant Acquisition Adjustments and Utility Plant Adjustments in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1807; Filed, Mar. 6, 1950; 8:47 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-418]

BEDDING INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties or groups, affected by or having an interest in the proposed trade practice rules for the Bedding Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose copies of the proposed rules may be obtained upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than March 27, 1950. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., March 27, 1950, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any persons, partnerships, corporations, organizations, or other parties or groups, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

Issued: March 2, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-1808; Filed, Mar. 6, 1950; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24904]

ANTI-FREEZE PREPARATIONS FROM SOUTHWEST AND KANSAS

APPLICATION FOR RELIEF

MARCH 2, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to the tariffs listed below.

Commodities involved: Proprietary anti-freeze preparations, carloads.

From: Points in the Southwest and Kansas.

To: Points in Illinois and Western Trunk Line territories.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supplement 135. L. E. Kipp's tariff I. C. C. No. A-3614, Supplement 85. L. E. Kipp's tariff I. C. C. No. A-3748, Supplement 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1793; Filed, Mar. 6, 1950; 8:46 a. m.]

[4th Sec. Application 24905]

ARTIFICIAL RUBBER FROM BAYTOWN AND HOUSTON, TEX., TO LAKE CITY, MO.

APPLICATION FOR RELIEF

MARCH 2, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3752.

Commodities involved: Artificial rubber, carloads.

From: Baytown and Houston, Tex.

To: Lake City, Mo.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supplement 403.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1792; Filed, Mar. 6, 1950; 8:46 a. m.]

[4th Sec. Application 24906]

PAPER BOARDS FROM DODSON, MO., AND KANSAS CITY, MO.-KANS., TO COFFEYVILLE, KANS.

APPLICATION FOR RELIEF

MARCH 2, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-3748.

Commodities involved: Boards, building, wall or insulating, also pulpboard or fibreboard, carloads.

From: Dodson, Mo., and Kansas City, Mo.-Kans.

To: Coffeyville, Kans.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3748, Supplement 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1791; Filed, Mar. 6, 1950; 8:46 a. m.]

[4th Sec. Application 24907]

GRAIN AND GRAIN PRODUCTS FROM MISSOURI RIVER CROSSINGS TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

MARCH 2, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-3712.

Commodities involved: Grain, grain products and related articles, carloads.

From: Missouri River crossings.

To: Memphis, Tenn., for beyond.

Grounds for relief: Circuitous routes and to restore rate relationships.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3712, Supplement 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1790; Filed, Mar. 6, 1950; 8:46 a. m.]

[Sec. 5a, Application 17]

ROCKY MOUNTAIN MOTOR TARIFF BUREAU, INC.

APPLICATION FOR APPROVAL OF AGREEMENT

MARCH 2, 1950.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: K. Tracy Power, Attorney-in-Fact, 1600 Logan Street, Denver 5, Colo.; Illinois-California Express, Inc., 2950 Blake Street, Denver 17, Colo.

Agreement involved: An agreement between and among common carriers by motor vehicle relating to rates, exceptions to classification ratings, rules, regulations and practices, applicable to the transportation of property (1) between points in a described area comprising all or portions of Colorado, Nevada, Oregon, Idaho, Montana, South Dakota, Nebraska, Utah, and Wyoming; (2) between the area noted in (1) above, on the one hand, and on the other, points in California; and (3) between points in the United States situated east of U. S. Highway No. 85, on the one hand, and on the other points in the United States situated on and west of U. S. Highway No. 85, and procedures for the joint consideration, initiation, or establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1823; Filed, Mar. 6, 1950; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

N. JAMES ELLIOTT

ORDER REVOKING REGISTRATION AND EXPELLING REGISTRANT FROM NATIONAL SECURITIES ASSOCIATION

In the matter of N. James Elliott, 50 Broad Street, New York, New York.

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

A proceeding having been instituted to determine whether the registration as a broker and dealer of N. James Elliott should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934 and whether N. James Elliott should be suspended for a period not exceeding twelve months or expelled from National Association of Securities Dealers, Inc., pursuant to section 15A of said act;

A hearing having been held after appropriate notice; the Commission being duly advised and having this day issued its findings and opinion; on the basis of said findings and opinion

It is ordered, That the registration as a broker and dealer of N. James Elliott be, and it hereby is, revoked; and that said N. James Elliott be, and he hereby is, expelled from membership in National Association of Securities Dealers, Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-1798; Filed, Mar. 6, 1950; 8:46 a. m.]

[File No. 70-2286]

WISCONSIN MICHIGAN POWER CO. AND WISCONSIN ELECTRIC POWER CO.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of March 1950.

The Commission having, by order dated January 19, 1950, granted and permitted to become effective a joint application-declaration, as amended, filed by Wisconsin Electric Power Company ("Wisconsin Electric"), a registered holding company, and its subsidiary, Wisconsin Michigan Power Company ("Wisconsin Power"), relating to the issue and sale by Wisconsin Power of $1,000,000 principal amount of its First Mortgage Bonds, 2¾% Series due 1980, and the issue and sale of 50,000 additional shares of its Common Stock, par value

$20 per share, to Wisconsin Electric, and the acquisition of said additional shares of Common Stock by Wisconsin Electric; and

The Commission in said order having reserved jurisdiction over all legal fees and expenses to be paid in connection with the proposed transactions; and

The record having been supplemented with statements setting forth the amount of the legal fees and expenses incurred and the nature and extent of the services rendered for which requests for payment by Wisconsin Michigan in the following amounts have been made: $5,000 legal fees and $417.59 expenses to Sullivan & Cromwell, counsel for Wisconsin Michigan; $3,500 legal fees to White & Case, special counsel for the purchaser of the said Bonds; and

The Commission having considered the record and it appearing to the Commission that the above fees and expenses are not unreasonable and that jurisdiction over all legal fees and expenses may appropriately be released:

It is ordered, That the jurisdiction heretofore reserved over the payment of all legal fees and expenses to be paid in connection with the proposed transactions be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-1799; Filed, Mar. 6, 1950; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

ARNOLD SCHOENBERG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property and Location

Arnold Schoenberg, 116 N. Rockingham Avenue, Los Angeles 24, California; Claim No. 5758; $1,800 in the Treasury of the United States.

Executed at Washington, D. C., on March 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1833; Filed, Mar. 6, 1950; 8:51 a. m.]

[Return Order 404]

ERNESTA STRADA RAPONI

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Ernesta Strada Raponi, Milan, Italy; 33952; July 1, 1949 (14 F. R. 3654); $3,190.49 in the Treasury of the United States. All right, title, and interest of Ernesta Strada Raponi in and to the estate of Augusto Strada, also known as August Strado, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on February 27, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1832; Filed, Mar. 6, 1950; 8:51 a. m.]

[Vesting Order 14353]

NIHEI AMANO

In re: Rights of Nihei Amano under insurance contract. File No. F-39-3020-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nihei Amano, whose last known address is Japan, is a resident of Japan and a national of a designated country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,267,342, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Nihei Amano, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1824; Filed, Mar. 6, 1950; 8:49 a. m.]

[Vesting Order 14354]

AMALIA BERTHA GERTRUD BEHRENS ET AL.

In re: Rights of Amalia Bertha Gertrud Behrens et al., under insurance contract. File No. F-28-4867-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Amalia Bertha Gertrud Behrens, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Georg Behrens, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 3414 GAB, issued by the Metropolitan Life Insurance Company, New York, New York, to Georg Behrens, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Georg Behrens, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate

consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1825; Filed, Mar. 6, 1950; 8:49 a. m.]

[Vesting Order 14355]

THEODOR A. IHNEN AND THEO. HAMM BREWING CO.

In re: Pension Plan agreement, dated November 28, 1943, between Theodor A. Ihnen and Theo. Hamm Brewing Co. File No. D-28-10167-G-1—Docket No. 5631.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johan Ihnen and Ilse Ihnen Dette, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest, and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the trust arising out of the pension plan agreement, dated November 28, 1943, between Theodor A. Ihnen and Theo. Hamm Brewing Co. and presently being administered by trustees under Theo. Hamm Brewing Co. Pension Plan, of 720 Payne Avenue, St. Paul 2, Minnesota,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1826; Filed, Mar. 6, 1950; 8:50 a. m.]

[Vesting Order 14356]

CHARLES A. H. OLDENDORF

In re: Estate of Charles A. H. Oldendorf, deceased. File No. D-28-9566. E. T. sec. 13118.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ida Leonhard and Herta (Hertha) Oldendorf whose last known address was on December 12, 1949, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of $434.80 was paid to the Attorney General of the United States by C. D. Robinson as administrator of the estate of Charles A. H. Oldendorf, deceased;

3. That the said sum of $434.80 was accepted by the Attorney General of the United States on December 12, 1949, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $434.80 is presently in the possession of the Attorney General of the United States and was property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country on December 12, 1949, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1827; Filed, Mar. 6, 1950; 8:50 a. m.]

[Vesting Order 14358]

HERMAN VEIL

In re: Estate of Herman Veil, deceased. File No. 017-25760.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Zaiss and Johannes Veil, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Herman Veil, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Comptroller of the State of New York as Depositary, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1829; Filed, Mar. 6, 1950; 8:50 a. m.]

[Vesting Order 14357]

JOHN H. SINGER

In re: Estate of John H. Singer, deceased. File D-28-12778; E. T. 16950.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That John Singer, Elsa Fuchs, nee Grimm, and Elsa Dohler, nee Stoker, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of John H. Singer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Robert M. Horter, as executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1828; Filed, Mar. 6, 1950; 8:50 a. m.]

[Vesting Order 14360]

JOHANNA ZIMMERMAN AND SUBURBAN TRUST AND SAVINGS BANK

In re: Trust deed between Johanna Zimmerman and Suburban Trust and Savings Bank, dated June 13, 1932. File No. F-28-12408-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elise Tessman, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to and arising out of or under that certain trust deed dated June 13, 1932, by and between Johanna Zimmerman and Suburban Trust and Savings Bank, presently being administered by Suburban Trust and Savings Bank, of Oak Park, Illinois, as trustee,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1830; Filed, Mar. 6, 1950; 8:50 a. m.]

[Vesting Order 14383]

DEINHARD & CO.

In re: Debt owing to Deinhard & Co. F-28-7112, C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deinhard & Co., the last known address of which is Koblenz, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Koblenz, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deinhard & Co., by Nicholas & Co., Incorporated, 420 Lexington Avenue, New York, New York, in the amount of $9,648.06 as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1831; Filed, Mar. 6, 1950; 8:51 a. m.]